



**BOARD OF SUPERVISORS  
OF  
MARICOPA COUNTY, ARIZONA**

(and the Boards of Directors of the Flood Control  
District, Library District, Stadium District,  
Improvement Districts and/or Board of Deposit)

**Formal Meeting Agenda  
Supplemental**

**Wednesday, June 18, 2008  
9:00 a.m.**

**Supervisors' Auditorium  
205 West Jefferson  
Phoenix, Arizona**

**S U P P L E M E N T A L**

**New Items**

**Clerk of the Board**

**S-1. RESIGNATION/APPOINTMENT**

Accept the resignation of Tom Lowry and appoint Mark Reardon of Vulcan Materials as a primary member, industry representative to the Aggregate Mining Operations Zoning District #1 Recommendation Committee. Mr. Reardon will fill the unexpired term effective as of the date of Board approval through October 5, 2010.

In addition, approve the appointment of Rick Vickery of Vulcan Materials as an alternate member for Mr. Reardon. (C0608100900) (ADM3441-001)

**Finance**

**S-2. MOU WITH CITY OF PHOENIX FOR DISPOSITION OF COUNTY-OWNED REAL PROPERTY**

Having determined the need to acquire a portion of Madison Street for the safe and efficient operation of the new Court Tower, authorize the Chairman to execute a Memo of Understanding (MOU) with the City of Phoenix (City) for the disposition of county-owned real property in Phoenix located south of Fillmore Street along 5<sup>th</sup> Avenue (ANP 111-41-178 and APN 111-41-179) through sale, lease or property exchange which will include Madison Street from First to Fifth avenues (excluding the north-south streets). In addition, authorize county staff to enter into negotiations with the City for the development of an Intergovernmental Agreement (IGA) to effectuate the purpose of the MOU. The MOU will memorialize the intent of the County and the City to enter into negotiations and to each obtain appraisals of their respective properties to determine property values. Upon successful negotiations, staff will return to the Board with recommended business terms of the IGA for the Board's further consideration. This matter was discussed in Executive Session on June 2, 2008 and June 16, 2008.

**Public Health**

**S-3. PURCHASE ORDER AND REVENUE AND EXPENDITURE APPROPRIATION ADJUSTMENTS**

Approve the Purchase Order from Arizona Department of Health Services (ADHS) to Maricopa County Department of Public Health for additional funding for the Intergovernmental Agreement (IGA) (HG761266) to provide Well Woman Healthcheck Program services to uninsured or underinsured women. The Purchase Order in the amount of \$150,000 provides additional funding in the amount of \$22,588 bringing the contract amount from \$580,000 to \$602,588 for the term ending June 30, 2008. This additional funding is for screening and diagnostic services.

The Department of Public Health's indirect rate for FY 2007-08 is 18%. The IGA allows for indirect costs at a rate of 10% of Personnel Services and Employee Related Expenses only. Additional funding of \$22,588 is for subrecipient costs and is not subject to indirect charges. Therefore indirect costs in the amount of \$4,066 are unrecoverable.

Also, approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned grant in an amount of \$22,588 for FY 2008. The appropriations adjustment is necessary because these funds were not included in the FY 2008 budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C8608001303)

**Risk Management**

**S-4. THOMAS RUSSELL V. MARICOPA COUNTY**

Approve special action petition to State Court of Appeals in regard to the Court's ruling on the Defendant's Motion for Summary Judgment in Thomas Russell v. Maricopa County, et al., CV2007-008555, and authorize the Chairman to sign any necessary documents upon review and approval as to form by assigned legal counsel. This matter was discussed in Executive Session on June 16, 2008. (ADM409)

**Sheriff**

**S-5. AMENDMENT TO IGA FOR LAW ENFORCEMENT SERVICES WITH TOWN OF QUEEN CREEK**

Approve Amendment No. 3 to the Intergovernmental Agreement for Law Enforcement Services between the Town of Queen Creek and Maricopa County Sheriff's Office to replace the increase in service for two traffic deputies with one School Resource Officer (SRO) and to replace the one-time equipment purchase section in its entirety to include: a total of three SUV vehicles, with one to be held in reserve of District VI, Queen Creek; three moving radar units, six laptop computers, six portable radios, and six tasers effective July 1, 2008. This contract now fully funds one full time dispatcher position to be added upon approval of this item.

Approval of this amendment will raise the FY 2008-09 annualized value of the contract to \$4,124,157 which includes estimated additional one-time vehicle and equipment purchases totaling \$227,251. This amendment is effective July 1, 2008, or as soon thereafter that service can be provided. The new base monthly payment, \$324,742.17 billable by County Finance, will be pro-rated monthly according to level of service provided throughout any ramping up period as communicated by the Sheriff's Office.

The base contract continues through June 30, 2010, with up to three years of automatic renewal and is terminable upon 12 months written notice of either party. Charges are updated annually and are based on actual cost.

Also approve the purchase and addition to fleet of one patrol SUV to be used as a reserve car. (The other two SUVs were approved as additions to fleet in Amendment 1 and postponed to July 1, 2008 in Amendment 2.) (ADM3104)

Finally approve per A.R.S. §42-17106 a reduction to the Sheriff's Office General Fund (100) FY 2009 revenue and expenditure appropriation of (\$4,084); (\$72,071) annualized. One-time purchases and reimbursement revenue were increased by \$72,071 while continuing costs and reimbursements were reduced by \$76,155. Intergovernmental Agreement revenues are not local revenues for purposes of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C5008010203)

## **Solid Waste**

### **S-6. APPLY AND ACCEPT FUNDS FROM ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY RECYCLING PROGRAM**

Approve the application and acceptance of grant funds from Arizona Department of Environmental Quality (ADEQ) Recycling Program in the amount of:

- \$188,736.00 for Maricopa County Waste Transfer Station Recycling Project. These grant funds are to fund the Solid Waste Management initial start up of the Waste Transfer Station (WTS) recycling program at 4 of the counties WTS.
- \$41,850.00 for Maricopa County Recycling Program Outreach & Education. These grant funds are to fund the Solid Waste Management outreach and promotion of the Waste Transfer Station recycling activity.

Authorize the Solid Waste Director to sign all documents related to these grant funds. The term of the grants is from July 1, 2008, through June 30, 2009. These grants are non-renewable. Approve a revenue and expenditure budget increase or establish a new fund for the MCSWM Recycling Program (000) in the amount of \$188,736 and MCSWM Outreach & Education Program (000) in the amount of \$41,850. The Maricopa County Department of Finance has calculated MCSWM's indirect cost rate at 13.13% (based on landfills). The indirect cost of administering these grants is \$24,781 and 5,495. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds is not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (Supervisory Districts 1, 2, 3, 4, and 5) (C6708004M00)

**Treasurer**

**S-7. EXCEPTION TO THE MARICOPA COUNTY COMPENSATION PLACEMENT IN RANGE STRATEGY**

Approve the following:

- An exception to the Maricopa County Compensation Placement in Range Strategy for the appointment of Richard Challoner to the position of Operations/Program Manager, PCN 00034258, in the Treasurer's Office. The requested rate associated with the approval of this request is \$44.62/hr (\$92,810 annually) and will be fully funded within the department's current budget this fiscal year and in subsequent fiscal years.
- An exception to the Maricopa County Compensation Placement in Range Strategy for the appointment of Royce Flora to the position of Finance Manager – County, PCN 00066641, in the Treasurer's Office. The requested rate associated with the approval of this request is \$47.93/hr (\$99,694 annually) and will be fully funded within the department's current budget this fiscal year and in subsequent fiscal years.

The Office of Management and Budget does not recommend approve of this item. Maricopa County utilizes a placement in range strategy to determine an employee's pay rate that is based on directly related County and prior experience and performance (if applicable). The purpose of this strategy is to create a method for determining an employee's pay rate that is equitable county-wide. The same placement in range strategy is used by all departments to determine an appropriate pay rate for new hires, promotions, market adjustments, and other salary advancements.

The Employee Compensation Division within the Office of Management and Budget has reviewed Richard Challoner's directly related County and prior experience based on his employment application, resume, and/or employee file. Based on this review of his related experience, his placement within the Operations/Program Manager market range was determined to be \$28.75/hr (\$59,800 annually). Since Mr. Challoner is currently making \$38.46/hr, OMB supports keeping him at this rate.

The Employee Compensation Division within the Office of Management and Budget has reviewed Royce Flora's directly related prior experience based on his employment application, resume, and/or employee file. Based on this review of his related experience, his placement within the Finance Manager - County market range was determined to be \$36.63/hr (\$76,190 annually).

## **SETTING OF HEARINGS**

**Planning and Development**

**S-8. CASES**

Schedule Planning and Development public hearings on zoning cases and other matters for the July 23, 2008 meeting. (List is on file in the Clerk of the Board's office)

## **FLOOD CONTROL DISTRICT**

### **SF-5. CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES**

Award Contract FCD 2008C002, White Tanks Flood Retarding Structure No. 4 Remediation Project Design and Engineering Support to Ninyo and Moore Geotechnical and Environmental Science Consultants to provide professional engineering services in an amount not-to-exceed \$1,600,000. The total contract performance is 1,095 calendar days from the date of approval by the Board of Directors. (C6908066500)

## **LIBRARY DISTRICT AGENDA**

### **SL-3. AMEND BUDGET INCREASING BOTH REVENUES AND EXPENDITURES**

Approval is requested to amend the budget increasing both revenues and expenditures (Dept. 650, Fund 242) in the amount of \$8,919 for the expenditure of remaining grant funds in fiscal year 07-08. These funds are for the continued purchase of public access computers and are part of the Gates Library Initiative grants through the Gates Center for Technology Access which is part of the Bill & Melinda Gates Foundation. The full grant amount is \$75,000 approved in agenda C6506008300 and the grant revenue and expenditures were originally budgeted in FY 2005-06. The remainder of the grant, \$8,919 will be expended in FY 2007-08 (C6506008302) (ADM2800-003)

### **SL-4. SOLE SOURCE CONTRACT WITH COMPRISE TECHNOLOGIES**

Approve a sole source contract with Comprise Technologies for a not-to-exceed amount of \$300,000, for the period from July 1, 2008 through June 30 2011, for the purchase of Smart Access Manager (SAM) System. Comprise Technology's Smart Access Manager was determined to be a sole source since it is the only print cost recovery and computer reservation system that is allowed to use the proprietary chips used in the Library District library cards. The District currently has over 187,000 library cards issued. Action on this item is subject to county counsel's review and approval of the final contract and subsequent execution of the contract. (C6508041100)